

## AGENDA



Thursday, May 17, 2007

**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION**
**Item No. 38**

**Subject:** Set a public hearing to consider an ordinance designating areas in which additional distance regulations will be applied to mobile food establishments. (Suggested date and time: May 24, 2007 at 6:00 p.m., Austin City Hall, 301 West Second Street, Austin, TX)

**For More Information:** Mark Walters, 974-7695; Sylvia Arzola, 974-6448.

**Prior Council Action:** 9/28/06 - Council approved regulations governing mobile food vendors.

On September 28, 2006, the City Council approved an ordinance governing mobile food establishments. Section 25-2-812(L) of the City Code allows neighborhood associations to request that the City Council require a mobile food establishment in their areas to comply with additional distance requirements.

There are two ways a neighborhood organization may request additional regulations that affect mobile food establishments in its area: (1) during the neighborhood planning process; or, (2) submit an application during the open filing period in February.

A neighborhood may choose to apply the following distance requirements:

1. A mobile food establishment must be located 50 feet or more from property: (1) in an SF-5 or more restrictive district or (2) on which a residential use permitted in an SF-5 or more restrictive district is located.
2. A mobile food establishment may operate between the hours of 6:00 AM and 10:00 PM if it is further than 50 feet and not more than 300 feet from a property: 1) in an SF-5 or more restrictive district or (2) on which a residential use permitted in an SF-5 or more restrictive district is located.
3. A mobile food establishment may operate between the hours of 6:00 AM and 3:00 AM if it is located more than 300' from property 1) in an SF-5 or more restrictive district or (2) on which a residential use permitted in an SF-5 or more restrictive district is located.

The following neighborhoods have requested that these additional regulations be applied to mobile food establishments vendors in their neighborhood areas:

Greater South River City Neighborhood Planning Team  
 East Riverside/Oltorf Neighborhood Planning Contact Team  
 Zilker Neighborhood Association  
 Rosedale Neighborhood Association  
 North Austin Civic Association.

Once these additional regulations are approved by the City Council, the mobile food establishment has 60 days after the effective date of the ordinance to comply.

This recommendation is for the City Council to set a public hearing to consider the application to establish additional regulations for mobile food establishments for the areas represented by these neighborhood organizations.